

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

LUIS A. ACEVEDO GARCIA, et al.,

Plaintiffs

vs.

HON. ROBERTO VERA MONROIG, et al.,

Defendants

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CIVIL NO. 97-2639 (JP)

*Received & Filed
in open court
10/12/01 10:45 AM*

ORDER

The Court has taken notice of Defendants' objections to the severance of this action, discussed yesterday in chambers. The Court thought that Defendants were satisfied with the assurances of fairness that were given to them by the Court. In particular, the Court assured the parties of the latitude of cross examination as well as the latitude of presenting evidence that Defendants had in mind and which is material or may be material pertaining to the whole case for the 82 Plaintiffs, and all circumstances giving rise to the cause and reasons for the discharges as alleged by Defendants.

The Court must emphasize that it believes that the jury will never be able to deal with evidence pertaining to 82 Plaintiffs in such a manner as to render a fair and impartial verdict at the end of trial. The consideration alleged by Defendants as to the fact that they would have to present evidence at four different occasions is of secondary importance. "A paramount consideration at all times in the administration of justice is a fair and impartial trial to all

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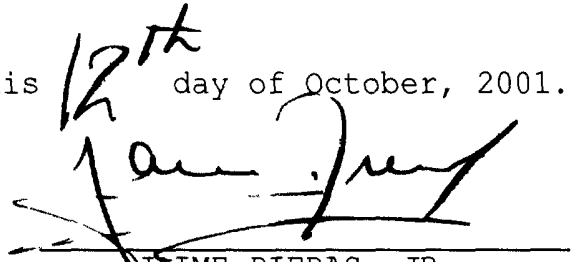
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litigants. Considerations of economy of time, money and convenience of witnesses must yield thereto." In re Bendectin Litigation, 857 F.2d at 308 (citing Baker v. Waterman S.S. Corp., 11 F.R.D. 440, 441 (S.D.N.Y. 1951)).

The Court, for this reason and others, **REAFFIRMS** its decision to sever the trial as stated in its Order dated October 11, 2001. The Court will provide a more formal opinion and order as to this matter as Defendants' "Motion to Restate Our Objection to Severance of Actions" (docket No. 185) was received and filed this morning.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this ^{12th} day of October, 2001.


JAIME PIERAS, JR.
SENIOR U.S. DISTRICT JUDGE